

A G E N D A

**MONTGOMERY COUNTY PUBLIC SERVICE AUTHORITY
Regular Meeting
County Administration Conference Room
Montgomery County Government Center
Monday, February 1, 2010
7:00 P.M.**

I. CALL TO ORDER

II. DETERMINATION OF QUORUM

III. OATH OF OFFICE

Annette Perkins, Gary Creed and James Politis will take the Oath of Office administered by Erica Williams, Clerk, Circuit Court

IV. ELECTION OF OFFICERS

- A. Election of Chair
- B. Election of Vice Chair
- C. Election of Secretary-Treasurer

V. PUBLIC HEARING

- 1. Proposed Schedule Fixing and Classifying Rates, Fees, and Charges for Water and Sewer Service

VI. PUBLIC ADDRESS SESSION

VII. CONSENT AGENDA

VIII. NEW BUSINESS

- A. Approve Proposed Rates, Fees, and Charges for Water and Sewer Service Inflow & Infiltration Surcharge Fee
- B. Approve Policy Relating to Inflow & Infiltration Surcharge Fee

IX. FINANCIAL REPORT

X. DIRECTOR'S REPORT

XI. AUTHORITY MEMBERS' REPORT

XII. INTO CLOSED MEETING

Section 2.2-3711

- (1) Discussion, Consideration, or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

- 1. Personnel

- (7) Consultation with Legal Counsel and Briefings by Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring the Provision of Legal Advice by Such Counsel

- 1. Sewer Agreement – Town of Christiansburg

XIII. OUT OF CLOSED MEETING

XIV. CERTIFICATION OF CLOSED MEETING

XV. ADJOURNMENT

TO: PSA Board of Directors

FROM: Robert C. (Bob) Fronk, PSA Director

DATE: January 29, 2010

SUBJECT: **AGENDA REPORT - PSA REGULAR MEETING – FEBRUARY 1, 2010**

I. CALL TO ORDER

The Chair will call this meeting to order.

II. DETERMINATION OF QUORUM

The Chair will determine if a quorum is present.

III. OATH OF OFFICE

Annette Perkins, Gary Creed, and James Politis were reappointed to the Public Service Authority at the Board of Supervisors' meeting of January 11, 2010. Erica Williams, Clerk of Circuit Court, will administer the Oath of Office.

IV. ELECTION OF OFFICERS

At this time, the chair will be turned over to the PSA Director for the election of the Chair position.

A. SUBJECT: ELECTION OF CHAIR

**R10-02-1
RESOLUTION APPROVING
ELECTION OF CHAIR**

PROPOSED RESOLUTION:

BE IT RESOLVED, that _____ be and hereby is, elected Chair of the Montgomery County Public Service Authority until term expiration date of February 17, 2011, or until the election of their successor.

ISSUE/PURPOSE:

The election of Chair is conducted at the regular meeting in February of each year. See Item 1 for procedures.

The meeting will be turned over to the newly elected Chair to conduct the remainder of the PSA meeting.

B. SUBJECT: ELECTION OF VICE CHAIR

**R10-02-2
RESOLUTION APPROVING
ELECTION OF VICE CHAIR**

PROPOSED RESOLUTION:

BE IT RESOLVED, that _____ be and hereby is, elected Vice Chair of the Montgomery County Public Service Authority until term expiration date of February 17, 2011, or until the election of their successor.

ISSUE/PURPOSE: The Vice Chair is elected and term of office established by the same process as the Chair. See Item 1 for procedures.

C. SUBJECT: ELECTION OF SECRETARY-TREASURER

**R10-02-3
RESOLUTION APPROVING
ELECTION OF SECRETARY-TREASURER**

PROPOSED RESOLUTION:

BE IT RESOLVED, that _____ be and hereby is, elected Secretary-Treasurer of the Montgomery County Public Service Authority until term expiration date of February 17, 2011, or until the election of their successor.

ISSUE/PURPOSE: The Secretary-Treasurer is elected and term of office established by the same procedure as the Chair and Vice Chair. See Item 1 for procedures.

V. PUBLIC HEARING

Proposed Schedule Fixing and Classifying Rates, Fees, and Charges for Water and Sewer Service

The following public hearing notice on a proposed schedule fixing and classifying rates, fees, and charges for water and sewer service was advertised pursuant to law in the *New River Current* section of the *Roanoke Times* on Friday, November 13 and Friday, November 20, 2009. See Item 2.

Notice is hereby given that pursuant to Section 15.2-5136 of the 1950 Code of Virginia, as amended, the Montgomery County Public Service Authority will conduct a public hearing to be held on February 1, 2010, 7:00 p.m., in the Montgomery County Government Center, 755 Roanoke Street, Christiansburg, Virginia, 2nd Floor County Administration Conference Room, to receive citizen comments on the proposed preliminary schedule fixing and classifying the following new rates, fees, and charges for water and sewer service:

Inflow & Infiltration Sewer Surcharge Fee

-New Proposed Fee of 50% Surcharge Added to Monthly Customer Sewer Charge for Failing to Correct Inflow & Infiltration after Notification by the Authority

The Authority may or may not act on the proposed new fee following the public hearing at the February 1, 2010 meeting.

By order of the Montgomery County Public Service Authority, Gary D. Creed, Chair.

VI. PUBLIC ADDRESS SESSION

The Chair will ask if there are any comments from the public. Each person will be allowed five minutes to address the Board.

VII. CONSENT AGENDA

PROPOSED RESOLUTION:

BE IT RESOLVED, that the Public Service Authority hereby approves the Consent Agenda, dated February 1, 2010.

VIII. NEW BUSINESS

**A. SUBJECT: APPROVE PROPOSED RATES, FEES
AND CHARGES FOR WATER AND
SEWER SERVICE – INFLOW &
INFILTRATION SURCHARGE FEE**

**R10-02-4
RESOLUTION APPROVING PROPOSED RATES, FEES,
AND CHARGES FOR WATER AND SEWER SERVICE
INFLOW & INFILTRATION SURCHARGE FEE**

PROPOSED RESOLUTION:

BE IT RESOLVED, that the Public Service Authority advertised a public hearing notice for rate adjustments in the *New River Current* section of the *Roanoke Times* on Friday, November 13 and Friday, November 20, 2009; and

WHEREAS, the Authority held a public hearing on February 1, 2010 to receive citizen comments on the adoption of the proposed rate adjustments for all Authority owned water and sewer customers.

NOW, THEREFORE BE IT RESOLVED, that in accordance with the Code of Virginia, Chapter 51, Virginia Water and Waste Authorities Act, Section 15.2-5136, Rates and Charges; the Public Service Authority hereby approves and adopts the following adjustment, to become effective February 2, 2010:

Inflow & Infiltration Sewer Surcharge Fee

-New Fee of 50% Surcharge Added to Monthly Customer Sewer Charge for Failing to Correct Inflow & Infiltration After Notification by the Authority

JUSTIFICATION:

To compensate for excessive amount of inflow & infiltration from large sewer users, thereby reducing the PSA treatment costs to other localities.

B. SUBJECT:

**APPROVE POLICY RELATING TO
INFLOW & INFILTRATION
SURCHARGE FEE**

R10-02-5

**RESOLUTION APPROVING POLICY RELATING
TO INFLOW & INFILTRATION SURCHARGE FEE**

PROPOSED RESOLUTION:

BE IT RESOLVED, that the Public Service Authority hereby approves the following policy relating to the Inflow & Infiltration Surcharge Fee; and, that said policy will be included in the Public Service Authority Rules & Regulations for Water/Sewer Service:

Section E

1 – Water/Sewer Service Fees:

(x) An Inflow & Infiltration Surcharge Fee shall be charged to any sewer customer when the Authority has determined by visual inspection, temporary sewer metering devices or other means, that the customer is discharging excessive groundwater or rainwater (I & I) into the Authority sewer. Excessive I & I is defined as intermittent or continuous flow which is twice or more than the average daily sewer flow per billing records and verified from the customer's sewer lines. The Inflow & Infiltration Surcharge Fee shall be a 50% surcharge applied to the customer's monthly sewer bill.

Before assessing the Inflow and Infiltration Surcharge Fee, the Authority shall notify the customer in writing that the Authority has identified excessive I & I infiltrating the customer's sewer lines and discharging into the Authority sewer without being accounted for in the billing. The Notice shall advise that the customer has 45 days from date of the letter to correct the excessive I & I discharge by reducing the I & I below the excessive limits defined above or to install an acceptable sewer flow meter suitable for sewer billing.

If the customer fails to make the corrections required to reduce the excessive I & I or provide an acceptable installed sewer flow meter within the 45 day period, the Inflow & Infiltration Surcharge Fee shall be applied to the customer's monthly sewer bill until corrections are made or a sewer meter is installed.

All proposed corrections or installed sewer flow meters shall be submitted to the Authority for approval prior to implementation. The corrections or sewer meter installations shall be inspected and approved by the Authority prior to removal of the Inflow & Infiltration Surcharge Fee.

ISSUE/PURPOSE:

To establish a policy whereby customers will be notified of excessive inflow and infiltration and guidelines for correcting excessive flows and conditions for applying the Inflow & Infiltration Surcharge Fee.

JUSTIFICATION:

At the PSA meeting of November 2, 2009, the Board discussed excessive inflow and infiltration from private sewer systems and authorized the Director to advertise a public hearing on a new fee of 50% surcharge added to a customer's monthly sewer billing for failing to comply with proper corrective procedures. The Director prepared a policy concerning the Inflow and Infiltration Surcharge Fee that will be included in the PSA Rules and Regulations.

IX. FINANCIAL REPORT

The financial report for period ending January 31, 2010 will be presented Monday night for review and discussion.

X. DIRECTOR'S REPORT

The Director's report will be presented at this time. See Item 4.

XI. AUTHORITY MEMBERS' REPORT

1. Member Muffo
2. Member Politis
3. Member Perkins
4. Member Brown
5. Member Marrs
6. Member Biggs
7. Member Creed

XII. INTO CLOSED MEETING

PROPOSED RESOLUTION:

BE IT RESOLVED, that the Public Service Authority hereby enters into Closed Meeting for discussion of the following:

- Section 2.2-3711
- (1) Discussion, Consideration, or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body
 - 1. Personnel
 - (7) Consultation with Legal Counsel and Briefings by Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring the Provision of Legal Advice by Such Counsel
 - 1. Sewer Agreement – Town of Christiansburg

XIII. OUT OF CLOSED MEETING

PROPOSED RESOLUTION:

BE IT RESOLVED, that the Public Service Authority ends their Closed Meeting to return to Regular Session.

XIV. CERTIFICATION OF CLOSED MEETING

PROPOSED RESOLUTION:

WHEREAS, the Public Service Authority of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, that the Public Service Authority does hereby agree, that to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the meeting to which this certification resolution applies; and (ii) only public business matters as were identified in the motion conveying the Closed Meeting were heard, discussed or considered by the Authority.

XV. ADJOURNMENT

PROPOSED RESOLUTION:

BE IT RESOLVED, that the Public Service Authority does hereby adjourn to the next meeting scheduled for Monday, March 1, 2010.

CONSENT AGENDA
February 1, 2010

A. APPROVAL OF MINUTES

**1. SUBJECT: APPROVAL OF MINUTES DATED
JANUARY 4, 2010**

ISSUE/PURPOSE: The above listed minutes are before the
Board for approval. See Item **3**.